

06/17/04

1745

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Attorney Docket No. 208.6164

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Gao et al.  
Serial No.: 10/040,047 Group Art Unit: 1745  
Filed: February 1, 2002 Examiner: Kalafut, Stephen J.  
For: *Positive Electrode Active Materials for Secondary Batteries and Methods of Preparing Same*

Date: June 16, 2004

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Sir:

This amendment is responsive to the Office Action ("Action") dated March 16, 2004 and is filed before expiration of the three month shortened statutory period. Applicants provide the present Amendment to address the issues raised in the Action pursuant to the rules stated in revised 37 C.F.R. 1.121 that became effective on July 30, 2003.

06/21/2004 EAREGAY1 00000144 10040047

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258.00 OP



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Gao et al.  
 Serial No.: 10/040,047      Group Art Unit: 1745  
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 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an AMENDMENT in the above-identified patent application.

Applicant claims small entity status. See 37 CFR §1.27.

No additional fee is required.

The fee has been calculated as shown below:

(COL. 1)		(COL. 2)	(COL. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment	Highest Number Previously Paid For	Present Extra	RATE	ADDIT. FEE	OR RATE	ADDIT. FEE
Total	80 -	98	= 0	x 09=	\$	x 18=	\$0
Indep	8 -	5	= 3	x 43=	\$	x 86=	\$258.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+145=	\$	+290=	\$
				Total Add. Fee	\$	OR Total	\$258.00

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior Amendment or the number of claims originally filed.

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Filed:  
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Please charge my Deposit Account No. 50-0220 in the amount of \$ \_\_\_\_ for \_\_\_\_.

A check in the amount \$258.00 to cover fees is enclosed.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0220.

Any additional filing fees required under 37 C.F.R. § 1.16 for the presentation of extra claims.

Any patent application processing fees under 37 C.F.R. § 1.17.

Respectfully submitted,

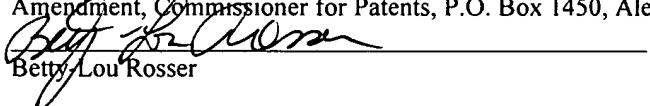


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**CERTIFICATE OF EXPRESS MAILING**

"Express Mail" mailing label number: EV472540553US Date of Deposit: June 16, 2004  
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Betty Lou Rosser